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17

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT, SAN FRANCISCO DIVISION

20 JANE AICHER,

21 Plaintiff,

22 v.

23 C.R. ENGLAND, INC., a Corporation, and  
Does 1-20,

24 Defendants.  
25  
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No. 3:10-cv-00335-BZ  
[Napa County Superior Court Case No. 26-  
50963]

STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING PLAINTIFF'S AND  
DEFENDANT'S SCHEDULED PRIVATE  
MEDIATION

Complaint Filed: December 22, 2009  
Trial Date: March 28, 2011

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1 Defendant C.R. ENGLAND, INC. ("Defendant"), and Plaintiff JANE AICHER  
2 ("Plaintiff") by and through their counsel of record, hereby agree and stipulate to the following:

3 1. On July 8, 2010, this Court referred this case to Magistrate Judge Donna M. Ryu  
4 for settlement. The parties were ordered to attend a settlement conference within thirty to sixty  
5 days of this Court's Order.

6 2. On July 12, 2010, Judge Ryu's Clerk contacted counsel for Plaintiff and  
7 Defendant and provided them dates that Judge Ryu was available in September 2010 to hold a  
8 Settlement Conference. The Clerk requested that the parties meet and confer at Plaintiff's  
9 deposition the following day.

10 3. In compliance with Judge Ryu's request, counsel for Plaintiff and Defendant met  
11 and conferred on July 13, 2010 wherein both parties agreed that this matter would be best served  
12 with a mediation and/or settlement conference prior to Defendant filing a Motion for Summary  
13 Judgment/Adjudication. The deadline to file such Motion is September 1, 2010.

14 4. The parties also discussed utilizing the services of a private mediator should one  
15 be available prior to the Motion for Summary Judgment deadline. On July 15, 2010, the parties  
16 agreed to use Judge Ellen James (ret.) with JAMS in San Francisco, California. The parties are  
17 confirmed for mediation on July 30, 2010 commencing at 10:00 a.m.

18 5. Due to the agreement and scheduling of a mediation with Judge James, counsel  
19 for Plaintiff and Defendant respectfully request that this Court revise its Order dated July 6, 2010  
20 and Order a Settlement Conference with Judge Ryu closer to the trial date, currently set for  
21 March 28, 2011.

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1 IT IS SO STIPULATED

2 Dated: July 16, 2010

BURNHAM BROWN

3 By: /s/ Allyson E. Cook 7/16/2010

4 ALLYSON E. COOK  
Attorneys for Defendant  
5 CR ENGLAND, INC.

6 Dated: July 16, 2010

7 LAW OFFICES OF MAYOR JOSEPH L.  
ALIOTO AND ANGELA ALIOTO  
8 LAW OFFICES OF JODY A. MEISEL

9 By: /s/ (Approved on 7/16/2010)

10 ANGELA ALIOTO  
JODY A. MEISEL  
Attorneys for Plaintiff  
11 JANE AICHER

12 [PROPOSED] ORDER

13 Based on the Stipulation submitted by the Parties in this Action, the private mediation  
14 with Judge Ellen James at JAMS on calendar for July 30, 2010 and for good cause, it is hereby  
15 Ordered that the Parties are excused from attending a Settlement Conference with Judge Ryu  
16 within thirty to sixty days from the previous July 6, 2010 Order.

17 A Settlement Conference is now scheduled for JANUARY, 2011, before  
18 Judge Ryu.

19 IT IS SO ORDERED.

20 DATED: 7/19/2010

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BERNARD ZIMMERMAN  
United States Magistrate Judge

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